

THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY
ACT

14-9. Claims Asserted Against the Fund for Response Costs

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, Sections 111, 112 and 122; 40 C.F.R. Part 300, "National Oil and Hazardous Substances Pollution Contingency Plan"; 40 C.F.R. Part 307, "CERCLA Claims Procedures"; and 40 C.F.R. Part 305, "CERCLA Administrative Hearing Procedures for Claims Against the Superfund":
 - a. To preauthorize claims against the Hazardous Substance Superfund for necessary response costs; and
 - b. To approve reimbursement for claimed response costs.
2. **TO WHOM REDELEGATED.** Regional counsel.
3. **LIMITATIONS.**
 - a. The delegated official must obtain approval from both the assistant administrators for Office of Enforcement and Compliance Assurance and the Office of Land and Emergency Management or their designees prior to exercising the authority in paragraph 1.a. The AAs for OECA and OLEM, or their designees, may waive, in whole or in part, this limitation by memorandum.
 - b. The delegated official must obtain approval from the AA for OLEM prior to exercising the authority in paragraph 1.b. The AA for OLEM may waive this limitation by memorandum.
 - c. These authorities shall be exercised subject to approved funding levels.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may be redelegated to the branch chief level, or equivalent, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Delegation 14-13-B, Concurrence in Settlement of Civil Judicial Actions.
 - b. Delegation 14-14-C, Administrative Actions Through Consent Orders.



Debra H. Thomas
Acting Regional Administrator

APR 29 2019

Date